

### **REMARKS**

Reconsideration of the application is respectfully requested.

#### **Status of the Application**

Claims 1-5 and 7-11 are pending. Claims 1 and 8-10 have been amended to clarify that the entire support layer is fully soluble in water and that the support layer coats the skin-protective layer. This amendment is supported in the specification at, for example, page 3, line 22-page 4, line 13; page 12, lines 1-10; and page 16, line 19-page 17, line 20. Claims 1 and 8-10 have also been amended to delete the previously added limitation that the skin-protective ingredient is applied in a stripe, dot, or lattice pattern. This amendment is supported by the claims as originally filed. Claims 4 and 8-10 have been amended so that the temperatures recited in the claims uniformly refer to units of "°C." Claim 11 has been amended to delete subject matter recited in the alternative and specify a molecular weight range. Support is found in the specification at, for example, at page 15, lines 7-9. Claim 6 has been canceled without prejudice or disclaimer. No new matter is added.

#### **Claim Rejections under 35 U.S.C. § 102**

Claims 1-11 have been rejected under 35 U.S.C. § 102(b) as anticipated by Ehrnsperger et al. (U.S. Patent No. 6,160,200) as evidenced by Roe et al. (U.S. Patent No. 5,607,760). With respect to claims 1 and 8-10, the Examiner asserts that "Ehrnsperger discloses all aspects of the claimed invention with the exception of the skin-protective ingredient being applied in a stripe pattern." According to the Examiner, the reference to a skin-protective ingredient in Roe inherently includes its application in a stripe pattern. Without conceding the validity of the Examiner's position, Applicant respectfully traverses the rejection.

Independent claims 1 and 8-10 have been amended to clarify that "the entire support layer [is] soluble in water." Applicant's support layer 51 protects the skin-protective ingredient 50 until skin-protective ingredient 50 is needed. Once it is needed, support layer 51 must be able to release the skin-protective ingredient 50 to transfer to the skin and serve its protective purpose. *See*

pages 12-14 of Applicant's specification. Therefore, the entire support layer 51 is soluble in water, or else skin-protective ingredient 50 cannot transfer to the skin following contact with bodily fluids.

In contrast, Ehrnsperger does not teach or suggest a support layer, which is entirely soluble in water. According to the Examiner, Ehrnsperger discloses a water-soluble support layer 60 covering a skin-protective ingredient applied to topsheet 24. Office Action at page 3. The support layer identified by the Examiner is "directionally preferential waste passage member 60," of which "[a]t least of portion . . . includes one or more soluble materials." Col. 10, lines 25-41. The purpose of waste passage member 60 is to reduce bodily waste contacting or contaminating the skin by allowing "bodily exudates [to pass] through the [water-soluble portion of] waste passage member 60 away from the skin. The waste passage member 60 then acts as a barrier to wastes passing back through its thickness toward the wearer." Col. 10, lines 28-35 and 36-49. Therefore, at least a portion of waste passage member 60 is not water-soluble in order to prevent leakage of absorbed bodily fluids back toward the skin. For example, waste passage member 60 can include barrier material 68 in a reticulated pattern. *See* col. 10, lines 56-64 and Fig. 7. Ehrnsperger does not teach or suggest an entirely water-soluble waste passage member 60 because to do so would be contrary to its purpose of directional preference.

For the reasons set forth above, Applicant submits that claims 1 and 8-10, as amended, are not anticipated by Ehrnsperger. Claims 2-5, 7, and 11 depend directly or indirectly from claim 1 and are not anticipated for at least the same reasons. Accordingly, Applicant respectfully requests that the rejection be withdrawn.

## CONCLUSION

In view of the above amendments and remarks, Applicant believes the pending application is in condition for allowance. If there are any remaining issues which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

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Respectfully submitted,

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